

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JAMES CICCONE,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/8/08

ORDER OF FORFEITURE

07 Cr. 0399 (DLC)

WHEREAS, on or about May 9, 2007, JAMES CICCONE (the "defendant"), was charged in a two-count Indictment, 07 Cr. 0399 (DLC) (the "Indictment"), with access device fraud, in violation of 18 U.S.C. § 1029(a)(5) (Count One), and with possessing and using personal identification information in the name of another to commit access device fraud, in violation of 18 U.S.C. § 1028A (Count Two);

WHEREAS, the Indictment included a forfeiture allegation seeking, pursuant to 18 U.S.C. § 982(a)(2)(B), all property that constitutes or is derived from proceeds obtained directly or indirectly from the commission of the offense charged in Count One of the Indictment;

WHEREAS, on or about January 8, 2008, the defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement;

WHEREAS, on or about May 8, 2008, the defendant was sentenced and ordered to a forfeiture money judgment in the

amount of \$31,347.98 in United States Currency, representing the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense in Count One of the Indictment, for which the defendant pled guilty, a money judgment in the amount of \$31,347.98 shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, JAMES CICCONE, at the time of sentencing and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals

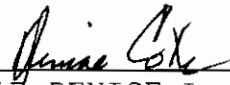
Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

6. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
May 8, 2008

SO ORDERED:



HONORABLE DENISE L. COTE
UNITED STATES DISTRICT JUDGE